

DECLARATION AND POWER OF ATTORNEY FOR CONTINUATION-IN-PART APPLICATION

As a below named inventor, I hereby declare that:
My residence, post office address and citizenship are as stated below next to my name; that

I verily believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought, namely the improvement in: COOLING ARTICLE INVOLVING EVAPORATION OF WATER FROM A POLYMER ABSORBENT

described and claimed in the specification:

- a. ☒ attached hereto;
b. ☐ filed on _____ as Application No. _____ and amended on _____ (if applicable);

and that this application in part discloses and claims subject matter disclosed in the earlier filed pending application, Application No. 09/227,889, filed January 11, 1999. I hereby state that I have reviewed and understand the contents of this application, including the claims, as amended by any amendment referred to above; and that I acknowledge my duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

Under Title 35, U.S. Code §119, the priority benefits of the following foreign application(s) and/or United States provisional application(s) filed by me or my legal representatives or assigns within one year prior to said earlier filed pending application are hereby claimed:

The following applications for patent or inventor's certificate on this invention were filed in countries foreign to the United States of America either (a) more than one year prior to said earlier filed pending application, or (b) before the filing date of the above-named foreign priority application(s) and/or United States provisional application(s):

French Patent Application No. 97 01972 filed April 3, 1997

As to any and all subject matter of this application which is not common to said earlier application, I acknowledge my duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Under Title 35, U.S. Code §119, the priority benefits of the following foreign application(s) and/or United States provisional application(s) filed by me or my legal representatives or assigns within one year prior to this application are hereby claimed:

The following application(s) for patent or inventor's certificate on such subject matter were filed in countries foreign to the United States of America either (a) more than one year prior to this application, or (b) before the filing of the above-named foreign priority application(s) and/or United States provisional application(s):

I hereby appoint the following as my attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office:

James A. Oliff, Registration No. 27,075; William P. Berridge, Registration No. 30,024;
Kirk M. Hudson, Registration No. 27,562; Thomas J. Pardini, Registration No. 30,411;
Edward P. Walker, Registration No. 31,450; Robert A. Miller, Registration No. 32,771;
Mario A. Costantino, Registration No. 33,565; Stephen J. Roe, Registration No. 34,463;
Joel S. Armstrong, Registration No. 36,430; Christopher W. Brown, Registration No. 38,025; and
Richard E. Rice, Registration No. 31,560.

ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE SENT TO OLIFF & BERRIDGE, PLC, P.O. BOX 19928, ALEXANDRIA, VIRGINIA 22320. TELEPHONE: (703) 836-6400.

I hereby declare that I have reviewed and understand the contents of this Declaration, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

40026623 10026623

1 *Typewritten Full Name
of First or Sole Inventor*

| Given Name | Middle Initial | Family Name |
|------------|----------------|-------------|
| Patrick | | CACERES |

2 ****INVENTOR'S SIGNATURE:**

3 ****DATE OF SIGNATURE:**

| Month | Day | Year |
|----------|-----|------|
| December | 20 | 2001 |

Residence:

| City | State or Province | Country |
|------|-------------------|---------|
| Lyon | | FRANCE |

Citizenship: France

Post Office Address:

(Insert complete
mailing address,
including country)

35 bis avenue Viviani

69008 Lyon, FRANCE

1 *Typewritten Full Name
of Second Joint Inventor (if any)*

| Given Name | Middle Initial | Family Name |
|------------|----------------|-------------|
| Frank | | CACERES |

2 ****INVENTOR'S SIGNATURE:**

3 ****DATE OF SIGNATURE:**

| Month | Day | Year |
|----------|-----|------|
| December | 20 | 2001 |

Residence:

| City | State or Province | Country |
|------|-------------------|---------|
| Lyon | | FRANCE |

Citizenship: France

Post Office Address:

(Insert complete
mailing address,
including country)

35 bis avenue Viviani

69008 Lyon, FRANCE

1 *Typewritten Full Name
of Third Joint Inventor (if any)*

| Given Name | Middle Initial | Family Name |
|------------|----------------|-------------|
| | | |

2 ****INVENTOR'S SIGNATURE:**

3 ****DATE OF SIGNATURE:**

| Month | Day | Year |
|-------|-----|------|
| | | |

Residence:

| City | State or Province | Country |
|------|-------------------|---------|
| | | |

Citizenship:

Post Office Address:

(Insert complete
mailing address,
including country)

****NOTE
INVENTOR(S):**

TO Please sign name exactly as it appears above and insert the actual date of signing.

IF THERE IS MORE THAN THREE INVENTORS USE PAGE 3 AND PLACE AN "X" HERE ☐.

Applicant or Patentee: _____

Attorney's
Docket No.: _____

Serial or Patent No.: _____

Filed or Issued: _____

For: _____

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) — SMALL BUSINESS CONCERN

I hereby declare that I am

- () the owner of the small business concern identified below:
(X) an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN CRYOMED FRANCE

ADDRESS OF CONCERN Boulevard Enco de Pont
13190 ALLAUCH, FRANCE

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled COOLING ARTICLE INVOLVING EVAPORATION OF WATER FROM A POLYMER ABSORBENT by inventor(s)

CACERES Patrick and CACERES Franck

described in

- (X) the specification filed herewith
() application serial no. _____, filed _____
() patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

() INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

() INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Patrick CACERES

TITLE OF PERSON OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING 65bis, rue Viviani, 69008 LYON, FRANCE

SIGNATURE _____

DATE December 2000